

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VICTOR SANCHEZ,

Plaintiff,

v.

ALBERTSON'S LLC,

Defendant.

Case No. 2:19-cv-02017-JAD-DJA

ORDER

Presently before the Court is Plaintiff Counsel's Motion to Withdraw (ECF No. 20), filed on December 11, 2020.

Pursuant to Local Rule ("LR") IA 11-6, "[n]o attorney may withdraw after appearing in a case except by leave of Court after notice has been served on the affected client and opposing counsel." See LR IA 11-6(b). Having reviewed the motion, the Court finds that requirements of LR IA 11-6(b) have been met. Ryan Kerbow indicates that there are irreconcilable differences regarding the potential outcome of the case, such that a complete breakdown exists between Plaintiff and Bernstein & Poisson necessitating withdrawal. The Court will require that Plaintiff Victor Sanchez advise the Court if he will retain new counsel or proceed pro se by January 14, 2021. Filing a notice of new counsel or intent to proceed pro se on or before January 14, 2021 is sufficient to comply with the Court's order. Failure to respond may result in a recommendation to the United States District Judge assigned to this case that dispositive sanctions be issued, including dismissal of this action.

However, along with Plaintiff Counsel's request to withdraw, he improperly includes a request to extend deadlines for a reasonable time or 60 days for Plaintiff to obtain new counsel. He does not indicate that he has discussed this request with Plaintiff. Further, he acknowledges that such a request violates LR IA 11-6(d)-(e), which expressly prohibits withdrawal of counsel to

1 be the sole reason for delay of discovery and also warns that no withdrawal will be approved if it
2 would result in the delay of discovery. Therefore, the Court denies the improper request for an
3 extension of discovery.

4 **IT IS THEREFORE ORDERED** that Plaintiff Counsel's Motion to Withdraw (ECF No.
5 20) is **granted**.


6 **IT IS FURTHER ORDERED** that Plaintiff Victor Sanchez shall have until **January 14,**
7 **2021** to advise the Court if he will retain new counsel or proceed pro se. Failure to notify the
8 Court as to its new representation may subject him to dispositive sanctions, including a
9 recommendation for dismissal of this action.

10 **IT IS FURTHER ORDERED** that the Clerk of the Court shall add the last known
11 address of Plaintiff Victor Sanchez to the civil docket and send a copy of this Order to Plaintiff's
12 last known address:

13 Victor Sanchez
14 4739 Laurel Canyon St.
15 Las Vegas, NV 89129
16 (702) 986-4624
17 (702) 355-8663

18 **IT IS FURTHER ORDERED** that Plaintiff's improper request for an extension of
19 discovery contained within the motion to withdraw is **denied**.

20 DATED: December 18, 2020.

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24 DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE
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